



**COUNCILMEMBER DONNA FRYE**  
City of San Diego, Sixth District

**MEMORANDUM**

**DATE:** May 22, 2007  
**TO:** Mayor Jerry Sanders  
**FROM:** Councilmember Donna Frye  
**SUBJECT:** Sunroad Building

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In response to your proposal to the Federal Aviation Administration and California Department of Transportation regarding the Sunroad building, I ask that the following actions be taken:

First, protect the public and require Sunroad to remove that portion of its building which exceeds 160 feet. The FAA has determined that the portion of the Sunroad building above 160 feet is a hazard to air navigation.

Second, put public safety first and do not allow people in the building, including construction workers. Enforce a complete stop work order.

Third, do not allow Development Services to issue any permits to Sunroad for interior improvements so the building cannot be occupied until this matter is finally resolved.

Fourth, require that Development Services not approve any further Sunroad office towers under Substantial Conformance Review (SCR). Instead, require Development Services to prepare an amendment to the Sunroad Master Plan and a supplemental environmental impact report for the project. If the applicant still wishes to proceed with the project, the subsequent "process 5" review, requiring a City Council hearing, will result in a true public vetting of the project and the ability of all agencies, including the FAA, to comment on the project before issuing any building permits.

Fifth, keep the public, the City Attorney and me informed of any proposed solutions under discussion with Sunroad. I remain concerned that no one from your office, including you, consulted with the public, the pilots or me about your proposal to allow portions of the building to remain above the 160-foot FAA height limit.

Sixth, while I appreciate that you accepted responsibility for what has happened, I would remind you that the Sunroad developers were less than honest when it came to their dealings with the City of San Diego, the FAA and the California Department of Transportation. It is time for Sunroad to be a good corporate citizen and put public safety ahead of personal profit.

DF:kcw

cc: City Council  
City Attorney